

HOUSE BILL 549

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2lr1709

By: **Delegate Hogan**

Introduced and read first time: February 3, 2012

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Stormwater Management – Residential Stormwater Practices – Inspection**
3 **and Maintenance**

4 FOR the purpose of requiring the Department of the Environment to adopt regulations
5 that specify certain alternatives for inspection of certain stormwater
6 management systems located on certain residential lots; and generally relating
7 to residential stormwater practices.

8 BY repealing and reenacting, with amendments,
9 Article – Environment
10 Section 4–203(b)
11 Annotated Code of Maryland
12 (2007 Replacement Volume and 2011 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Environment**

16 4–203.

17 (b) The Department shall adopt rules and regulations which establish
18 criteria and procedures for stormwater management in Maryland. The rules and
19 regulations shall:

20 (1) Indicate that the primary goal of the State and local programs will
21 be to maintain after development, as nearly as possible, the predevelopment runoff
22 characteristics;

23 (2) Make allowance for the difference in hydrologic characteristics and
24 stormwater management needs of different parts of the State;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) Specify that watershed-wide analyses may be necessary to prevent
2 undesirable downstream effects of increased stormwater runoff;

3 (4) Specify the exemptions a county or municipality may grant from
4 the requirements of submitting a stormwater management plan;

5 (5) (i) Specify the minimum content of the local ordinances or the
6 rules and regulations of the affected county governing body to be adopted which may
7 be done by inclusion of a model ordinance or model rules and regulations; and

8 (ii) Establish regulations and a model ordinance that require:

9 1. The implementation of environmental site design to
10 the maximum extent practicable;

11 2. The review and modification, if necessary, of planning
12 and zoning or public works ordinances to remove impediments to environmental site
13 design implementation; and

14 3. A developer to demonstrate that:

15 A. Environmental site design has been implemented to
16 the maximum extent practicable; and

17 B. Standard best management practices have been used
18 only where absolutely necessary;

19 (6) Indicate that water quality practices may be required for any
20 redevelopment, even when predevelopment runoff characteristics are maintained;

21 (7) **(I)** Specify the minimum requirements for inspection and
22 maintenance of stormwater practices; **AND**

23 **(II) SPECIFY ALTERNATIVES FOR INSPECTION OF**
24 **STORMWATER MANAGEMENT SYSTEMS LOCATED ON RESIDENTIAL LOTS,**
25 **INCLUDING PUBLIC OUTREACH, EDUCATION, OR OTHER METHODS THAT**
26 **PROMOTE MAINTENANCE OF STORMWATER PRACTICES;**

27 (8) Specify that all stormwater management plans shall be designed
28 to:

29 (i) Prevent soil erosion from any development project;

30 (ii) Prevent, to the maximum extent practicable, an increase in
31 nonpoint pollution;

1 (iii) Maintain the integrity of stream channels for their biological
2 function, as well as for drainage;

3 (iv) Minimize pollutants in stormwater runoff from new
4 development and redevelopment in order to:

5 1. Restore, enhance, and maintain the chemical,
6 physical, and biological integrity of the waters of the State;

7 2. Protect public health;

8 3. Safeguard fish and aquatic life and scenic and
9 ecological values; and

10 4. Enhance the domestic, municipal, recreational,
11 industrial, and other uses of water as specified by the Department;

12 (v) Protect public safety through the proper design and
13 operation of stormwater management facilities;

14 (vi) Maintain 100% of average annual predevelopment
15 groundwater recharge volume for the site;

16 (vii) Capture and treat stormwater runoff to remove pollutants
17 and enhance water quality;

18 (viii) Implement a channel protection strategy to reduce
19 downstream erosion in receiving streams; and

20 (ix) Implement quantity control strategies to prevent increases
21 in the frequency and magnitude of out-of-bank flooding from large, less frequent
22 storm events; and

23 (9) (i) Establish a comprehensive process for approving grading
24 and sediment control plans and stormwater management plans; and

25 (ii) Specify that the comprehensive process established under
26 item (i) of this item takes into account the cumulative impacts of both plans.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2012.